

**REMARKS*****Introduction***

Receipt of the Office Action mailed August 4, 2006 is acknowledged. Claim 1 has been amended to incorporate subject matter of claim 5 which has accordingly been canceled without prejudice or disclaimer. Claims 6-7 have been amended to clarify the weight basis of the claimed percentages. Claim 12 has been amended in formal regards to recite that the copolymer is present in an amount sufficient to cause the stated result. Claims 2-4, 10, 11 and 14 have been amended to be consistent with the amendment to claim 1. Claim 16 has been amended to delete the term "dry." Claim 19 has been amended to spell out the full name of the abbreviation PVP. No new matter has been added. Entry of the amendment and favorable reconsideration are earnestly solicited.

***Election/Restrictions***

Applicant respectfully request rejoinder to the non-elected claims after allowance.

***Claim Objections***

The objection to claim 19 is believed to have been overcome in view of the present amendment thereto.

***Claim Rejections- 35 U.S.C. § 112***

Claims 6,7, 12 and 16 were rejected under 35 U.S.C 112,second paragraph as allegedly being indefinite. It is respectfully submitted that the instant amendments to these claims are believed to have obviated this rejection. Favorable reconsideration is earnestly solicited.

***Claim Rejections- 35 U.S.C. § 102 and 103***

Claims, 1-12 and 17-19 were rejected under 35 U.S.C. 102 (b) as allegedly being anticipated by Hammer et al (US 5,501,886). Claims 13 and 16 were rejected under 35 U.S.C.

103 (a) as allegedly being unpatentable over Hammer *et al.* (US 5,501,886) in view of Crevasse (US 5,215,495).

These rejections are respectfully traversed.

Hammer *et al* '886 discloses a cellulose based tubular food casing containing polyvinylpyrrolidone, polyvinylpyridone, poly(N-vinyl-caprolactam) or a copolymer containing units of vinylpyrrolidone, vinylpyrrolidone, N-vinyl-caprolactam and additionally units of formula II and III as shown in columns 3 and 4, and they must contain amino- or ammonium groups. On the other hand, the claimed units in the instant claim 1 are now recited as being vinyl alkanoate, vinyl alkyl ether, conjugated alkadiene, acrylamide and/or  $\alpha\beta$ -ethylenically unsaturated carboxylic acid. Thus, the copolymers of Hammer *et al* do not teach or suggest the instantly claimed food casings.

The Examiner referred to col. 5, lines 23-30 of Hammer *et al* as allegedly disclosing a copolymer having units of vinylpyrrolidone and of  $\alpha\beta$ -ethylenically unsaturated carboxylic acid. Applicants respectfully disagree. The passage referred to by the Examiner only discusses esters of unsaturated carboxylic acid. The alkyl part of these esters contains an amino group of formula VI or ammonium group of formula V in the reference. Hammer *et al* thus does not anticipate a food casing comprising any of the copolymers recited in presently amended claim 1. Applicants also disagree with the Examiner's mention of "equivalents" in discussing claims 2-4. The statements seem to be misplaced, and in any event cannot be tenable in view of the present amendment.

Furthermore, the proffered combination of Hammer *et al* together with Crevasse does render any of the instant claims obvious. As discussed *supra* Hammer *et al* does not teach any of the recited comonomer units. Crevasse does not provide for this deficiency of Hammer *et al*. That is, Crevasse does not disclose the recited comonomer units either. As such, even though Crevasse teaches certain sausage casings, that is of no moment, since other features of the claims are not present in either of the references being relied upon.

In view of the present amendment and foregoing remarks, Applicants believe the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 11-0553, under Order No. 2901886.14 from which the undersigned is authorized to draw.

Dated: November 6, 2006

Respectfully submitted,

By  \_\_\_\_\_

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